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INFO OCT-01 RSR-01 AID-28 PC-04 SY-03 USSS-00 O-03 CIAE-00
PM-05 H-02 INR-07 L-04 NSAE-00 NSC-10 P-03 RSC-01
PRS-01 SS-20 USIA-12 NMCC-00 /125 W

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R 101930Z AUG 70
FM AMEMBASSY BRASILIA
TO SECSTATE WASHDC 1449
INFO AMEMBASSY RIO DE JANEIRO
AMCONSUL RECIFE
AMCONSUL SAO PAULO

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4-2-83

LIMITED OFFICIAL USE BRASILIA 315

SUB: BRASILIAN VIEWS ON GOMIDE KIDNAPPING

1. PUBLIC REACTION IN BRASILIA TO EVENTS SURROUNDING KIDNAPPINGS IN URUGUAY HAS BEEN ONE OF DISMAY AND CONDEMNATION OF URUGUAYAN GOVERNMENT FOR INTRANSIGENCY IN REFUSING TO NEGOTIATE WITH TUPAMAROS IN ORDER TO SAVE LIVES OF DIPLOMATS KIDNAPPED.

2. THE LOCAL NEWSPAPER (DIARIO ASSOCIADOS), WHICH DOES NOT REGULARLY PUBLISH MONDAY EDITION, DISTRIBUTED "EXTRA" TODAY DEVOTED KIDNAPPINGS AN DEATH OF MITRIONE. FRONT-PAGE EDITORIAL CONDEMSN URUGUAYAN GOVERNMENT ON LEGAL AND MORAL GROUNDS: STATES THAT LAW OF COUNTRY, INCLUDING CONSTITUTION, IS NOT STATIC BUT EVOLVES OVER TIME IN RELATION TO CIRCUMSTANCES. A CONSTITUTION UNDERGOES FREQUENT CHANGES, "ADAPTING ITSELF TO URGENCIES OF THE MOMENT AND DEMANDS OF THE FUTURE." IF URUGUAY IS PREVENTED BY ITS LAW FROM NEGOTIATING WITH TERRORISTS, IT IS OBLIGED BY INTERNATIONAL AGREEMENTS TO DO EVERYTHING TO PROTECT LIFE OF FOREIGN DIPLOMATS. "IF THE LAW IS OBSTACLE TO FULFILLMENT OF THIS OBLIGATION, CHANGE THE LAW." THE EDITORIAL ALSO HOLDS URUGUAY MORALLY RESPONSIBLE FOR NOT GIVING

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HIGH IMPORTANCE TO HUMAN LIFE THAT IS BEING THREATEND.

3. SEVERAL OFFICIALS WHO HAVE MADE PUBLIC COMMENTS UNANIMOUSLY CONDEMN URUGUAY FOR UNBENDING ATTITUDE AND CITE BRAZIL'S ATTITUDE AND ACTIONS IN SIMILAR CIRCUMSTANCES AS EXAMPLE OF WHAT SHOULD BE DONE IN SUCH SITUATIONS. DEPUTY DJALMA FALCA, ACTING MDB LEADER IN CHAMBER OF DEPUTIES, CONDEMNED TERRORISM IN NAME OF PARTY BUT EXPRESSED DISMAY AT URUGUAY'S ATTITUDE TOWARD KIDNAPPING OF BRAZILIAN DIPLOMAT, SINCE BRAZIL HAS ALREADY SHOWN "SPIRIT OF HUMANITY" IN SIMILAR CASES. JUDGE COLOMBO DE SOUZA, PRESIDENT OF THE COURT OF JUSTICE OF FEDERAL DISTRICT, RECALLED THAT FOREIGN DIPLOMATS HAVE ALWAYS BEEN ACCORDED SPECIAL PROTECTION. HE ASKED HOW ONE COULD ACCEPT COUNTRY THAT DOES NOT GUARANTEE LIFE OF AMBASSADORS ACCREDITED TO IT. OFFICIAL OF FEDERAL DISTRICT GOVERNMENT LAMENTED FACT URUGUAY DID NOT TAKE ACTION TO OBTAIN RELEASE OF DIPLOMATS WHO HAVE NOTHING TO DO WITH INTERNAL POLITICAL SITUATION OF URUGUAY.

4. COMMENT: ABOVE LOCAL REACTION REFLECTS EVOLVING TENOR OF INFORMAL PRIVATE CONVERSATIONS AND, WE BELIEVE, GENERAL BRAZILIAN PUBLIC OPINION AS PESSIMISM CONCERNING OUTCOME DEEPENS. GIVEN BRAZIL'S RECENT HISTORY, THERE IS UNDERSTANDABLY LITTLE WILLINGNESS RECOGNIZE THAT CONSTITUTIONAL ISSUES RAISED BY TERRORISTS' DEMAND TO RELEASE ALL POLITICAL PRISONERS PRESENT REAL PROBLEM FOR URUGUAY (AND WOULD FOR US IF SIMILAR AROSE IN US). ONLY ESTADO DE SAO PAULO IN AUGUST 8 EDITORIAL HAS BUCKED TIDE AND URGED RESPECT FOR DEMOCRATIC PRINCIPLE OF SEPARATION OF POWERS AND URUGUAYAN CONSTITUTIONAL TRADITION.
JOHNSON

ADJUSTED